

Officer History

Officer Name: Cammarota, Steven

Tax ID: 954595

Sex: M

Shield: 15248

Race: White

Rank: POM

Command: 121

DOB: 04/23/1989

Appt Date: 07/09/2013

Age: 31

Tenure: 7

CCRB #	Report Date	Incident Date	Allegation	Disposition	NYPD		Command
					Disposition	Penalty	
201402413	03/13/2014	03/12/2014	OMN - Failure to prepare a memo book entry	Other Misconduct			164
Total Charges = 1					Total Cases = 1		

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Hannah Omolade	Team: Team # 2	CCRB Case #: 201402413	<input type="checkbox"/> Force <input checked="" type="checkbox"/> Discourt. <input type="checkbox"/> U.S. <input type="checkbox"/> Abuse <input type="checkbox"/> O.L. <input type="checkbox"/> Injury
Incident Date(s) Wed, 03/12/2014 11:50 PM	Location of Incident: 2228 Church Avenue	Precinct: 70	S.O.L. Expires: 09/12/2015
Date/Time CV Reported Thu, 03/13/2014 10:27 AM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Thu, 03/13/2014 10:27 AM

Complainant/Victim	Type	Home Address
1. [REDACTED]	Comp/Victim	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
2. POM Steven Cammarota	15248	954595	PBBS

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Officer(s)	Allegation	Investigator Recommendation
A . POM [REDACTED]	[REDACTED]	A . [REDACTED]
B . POM Steven Cammarota	Other: PO Steven Cammarota failed to prepare a memo book entry as required by Patrol Guide Procedure 212-08.	B . Other Misconduct

Case Summary

On March 13, 2014, [REDACTED] contacted the CCRB via the Call Processing System to file this complaint (encl. 4). On March 13, 2014, at approximately 11:50 p.m., [REDACTED] was in front of 2228 Church Avenue, in Brooklyn, and was issued two summonses. The following allegations ensued:

- **Allegation A- Abuse of Authority: PO [REDACTED]**
[REDACTED]
[REDACTED]
[REDACTED].
- **Allegation B- Other Misconduct: PO Steven Commarota failed to prepare a memo book entry as required by Patrol Guide Procedure 212-08.**
PO Commarota did not prepare a memo book entry pertaining to his encounter with [REDACTED] as required by patrol guide procedure 212-08. It is therefore recommended that he be cited for **other misconduct**.

[REDACTED] rejected mediation.

Results of Investigation

Civilian Statements

Complainant/Victim: [REDACTED]

- [REDACTED] is a [REDACTED] man, [REDACTED] tall, and [REDACTED] pounds with [REDACTED] hair and [REDACTED] eyes.
- At the time of his interview, he worked in account payables for "[REDACTED]" at [REDACTED] in Manhattan.

CCRB Statement

[REDACTED] provided a telephone statement on March 13, 2014 (encl. 5) and was interviewed at the CCRB on March 17, 2014 (encl. 6C-D). His testimony was consistent with discrepancies noted.

On March 13, 2014, at approximately 11:50 p.m., [REDACTED] parked his car in front of 2228 Church Avenue in Brooklyn, exited his vehicle and walked towards the Planet Fitness gym, one car length away. [REDACTED] drove a 2000 Green Maxima with light tints. [REDACTED] saw emergency lights and then continued walking. [REDACTED] heard something and when he turned around, he saw PO Steven Commarota and PO [REDACTED] identified via investigation, park and exit their patrol car. PO Commarota was described as a white man in uniform, 6'2" tall, medium build, 220 pounds, between 25 and 35 years of age, with black short hair. PO [REDACTED] the passenger was described as [REDACTED] man, possibly mixed raced, [REDACTED] tall, medium build, with [REDACTED] short hair, in uniform and about [REDACTED] to [REDACTED] years of age. PO Commarota pointed at [REDACTED] vehicle and stated that in New York State, he cannot have tinted windows. [REDACTED] told PO Commarota and PO [REDACTED] that he was outside of his vehicle already. PO Commarota told [REDACTED] that it did not matter and asked for his ID.

When [REDACTED] reached for his wallet, PO Commarota told [REDACTED] to stop and walk over to them. [REDACTED] refused and told both officers to walk over to him. [REDACTED] and the officers were ten feet away from each other. [REDACTED] attempted to walk into the gym.

PO Commarota told [REDACTED] [REDACTED] that his car would be towed. Subsequently, both officers approached [REDACTED] [REDACTED]. PO Commarota and PO [REDACTED] requested his ID again. [REDACTED] [REDACTED] called 911 to report that he was being harassed. PO Commarota requested for additional officers to the scene. [REDACTED] [REDACTED] did not yell, scream or curse at the officers. [REDACTED] [REDACTED] was handcuffed by PO [REDACTED] who also took his ID out of his pocket. Ten additional officers arrived and PO [REDACTED] told PO [REDACTED] to get [REDACTED] [REDACTED] off his “fucking” phone. PO Commarota was also in the vicinity and may have heard the discourtesy. There were no civilian witnesses to the discourtesy.

[REDACTED] [REDACTED] was issued two summonses for disorderly conduct, subsection 7 and unlicensed operation of a vehicle.

NYPD Statements:

Subject Officer: PO STEVEN COMMAROTA

- *PO Steven Commarota is a [REDACTED] man, [REDACTED], with brown hair and hazel eyes.*
- *On March 12, 2014, PO Commarota was assigned to post 15 with [REDACTED] from 5:30 p.m., until 2:05 a.m., was dressed in uniform and assigned to marked van #8886.*

Memo Book

PO Commarota did not have any memo book entries regarding the incident (encl. 8A-D).

CCRB Statement

PO Commarota was interviewed at the CCRB on August 19, 2014 (encl. 8F-G). On March 12, 2014, at approximately 11:50 p.m., PO Commarota [REDACTED] were driving eastbound on Church Avenue in Brooklyn when they observed [REDACTED] [REDACTED] vehicle. PO Commarota, the driver, shined their vehicle lights on [REDACTED] [REDACTED] vehicle and saw that it had dark tinted windows. PO Commarota and PO [REDACTED] put on their lights and sirens on to stop [REDACTED] [REDACTED] vehicle. [REDACTED] [REDACTED] parked his vehicle, exited it immediately and started to walk towards the Planet Fitness gym. Both officers told [REDACTED] [REDACTED] over the loud speakers to stay in his vehicle as they pulled up to his vehicle. [REDACTED] [REDACTED] did not comply with their orders or acknowledge their presence.

[REDACTED] [REDACTED] continued walking into the gym as he told officers that they could not stop him because he was outside of his vehicle. PO Commarota did not threaten to seize [REDACTED] [REDACTED] vehicle. As [REDACTED] [REDACTED] continued to walk away, PO Commarota, PO [REDACTED] and an unidentified male officer blocked the doorway of the gym to stop him. PO Commarota and PO [REDACTED] asked [REDACTED] [REDACTED] several times for his license, registration and insurance card. [REDACTED] [REDACTED] refused by stating that he would not provide his ID, and continued causing a scene by being loud and not complying, which were actions PO Commarota believed caused a hazardous condition for them. [REDACTED] [REDACTED] told officers that they were harassing him and proceeded to call 911. At this time, officers were approximately three feet away from [REDACTED] [REDACTED]. A couple of civilians walked by to see what was going on.

[REDACTED] [REDACTED] was put into handcuffs and his ID was removed from him by one of the officers. None of the officers said “Get him off his fucking phone.” PO Commarota did not know who PO [REDACTED] was. [REDACTED] [REDACTED] was then issued two summonses for unlicensed operation and disorderly conduct for creating a hazardous condition.

Witness Officer: PO [REDACTED]

- PO [REDACTED] is a [REDACTED] man, [REDACTED] tall, [REDACTED] pounds, with [REDACTED] hair and [REDACTED] eyes.
- On March 12, 2014, PO [REDACTED] was assigned to post 15 with PO Commarota from 5:30 p.m., until 2:05 a.m. PO [REDACTED] was in uniform.

Summonses

Summons [REDACTED] was issued for disorderly conduct, creating a hazardous physically offensive condition PL 240.20(7). Summons [REDACTED] was issued for unlicensed operation of a vehicle (encl. 7A-D).

Memo Book

PO [REDACTED] had detailed entries in his memo book pertaining to this incident (encl. 7E-G).

CCRB Statement

PO [REDACTED] was interviewed at the CCRB on July 24, 2014 (encl. 7I-J). PO [REDACTED] statement corroborates PO Commarota's statement.

PO [REDACTED] and PO Commarota did not threaten to seize or tow [REDACTED] vehicle if he did not provide his ID.

[REDACTED] called 911 and said that he was being harassed by officers. Because [REDACTED] was refusing to comply with their orders, PO [REDACTED] placed [REDACTED] in handcuffs for the safety of the officers and his own safety. PO [REDACTED] could not recall whether PO [REDACTED] was on the scene. PO [REDACTED] did not hear any officers say "Get him off of his fucking phone." Neither did PO [REDACTED] hear any officers use any profanity against [REDACTED].

Subject Officer: PO [REDACTED]

- PO [REDACTED] is a [REDACTED] man, [REDACTED] tall, [REDACTED] pounds, with [REDACTED] hair and [REDACTED] eyes.
- On March 12, 2014, PO [REDACTED] was assigned to foot post 3, which covered East 18th Street between Church Avenue and Caton Avenue in Brooklyn, with PO [REDACTED]. They were in uniform and worked from 5:30 p.m., until 2:05 a.m.

Memo Book

At 11:45 p.m., PO [REDACTED] was called to a vehicle checkpoint at Church and Flatbush Avenues, in Brooklyn (encl. 9A-C).

CCRB Statement

PO [REDACTED] was interviewed at the CCRB on August 6, 2013 (encl. 9E-G). PO [REDACTED] did not recall the incident. PO [REDACTED] was told a summary of the incident and was presented with photograph of [REDACTED] which did not aid his recollection. PO [REDACTED] did not recall responding to an incident involving PO [REDACTED] and PO Commarota on the date in question.

NYPD Documents

Summons for Incident and Disposition

- As per the New York State Department of Motor Vehicle, [REDACTED] license has been suspended. In addition, summons [REDACTED] remains outstanding. The disposition for summons [REDACTED] was not available (encl. 11A-G).

Status of Civil Proceedings

- [REDACTED] has not filed a Notice of Claim with the City of New York as of September 10, 2014, more than three months over the 90-day filing deadline, with regard to the incident (encl. 12E).

Civilian's Criminal History

- As of September 10, 2014, Office of Court Administration records reveal [REDACTED]
[REDACTED]
[REDACTED]

Civilian's CCRB History

- [REDACTED] has filed the following CCRB complaints (encl. 3):
- In CCRB case number [REDACTED] [REDACTED] alleged a discourtesy, which was closed unsubstantiated and a refusal to process a civilian complaint, which was closed unfounded.
- In CCRB case number [REDACTED], [REDACTED] alleged a stop, question and frisk allegations, which were substantiated. [REDACTED] alleged a search of person and vehicle search, which were closed unsubstantiated.

Subject Officer's CCRB History

- PO Commarota has been a member of the service for one year and there are no substantiated CCRB allegations against him (encl. 1).
- PO [REDACTED] has been a member of the service for one year and there are no substantiated CCRB allegations against him (encl. 2).

Conclusion

Identification of Subject Officer

PO Commarota acknowledged interacting with [REDACTED] [REDACTED] [REDACTED] description of PO [REDACTED] matched his pedigree and his memo book placed him at the scene of the incident.

Allegations Not Pled

Given that [REDACTED] vehicle could have been towed since it would not have been in a legal parking space and he could have been arrested for not providing his ID, PO Commarota's alleged threat to seize his vehicle would have been a statement of fact. As such, a threat to seize property allegation is not pled. As PO [REDACTED] conducted a limited search to obtain [REDACTED] ID, the action itself was not egregious and a search allegation is not pleaded.

Investigative Findings and Recommendations

Allegation A- [REDACTED]: PO [REDACTED]

It is disputed whether PO [REDACTED] spoke discourteously [REDACTED] [REDACTED] alleged that PO [REDACTED] told PO [REDACTED] to get [REDACTED] off of his "fucking" phone. PO [REDACTED] denied this and stated that he did not recall the incident. PO Commarota and PO [REDACTED] denied that any officer spoke discourteously to [REDACTED]

With conflicting statements and no independent witnesses to corroborate the statement of either a party, the investigation could not determine whether PO [REDACTED] spoke discourteously to [REDACTED]. As such, it is recommended that **Allegation A** be closed **unsubstantiated**.

Allegation B- Other Misconduct: PO Steven Commarota failed to prepare a memo book entry as required by Patrol Guide Procedure 212-08.

PO Commarota provided testimony confirming that he interacted with [REDACTED] [REDACTED]. However, PO Commarota did not document his encounter with [REDACTED] [REDACTED]. As per Patrol Guide procedure 212-08, officers are required to document information pertaining to their assignments in their memo books (encl. A1-3). Because PO Commarota failed to document his encounter with [REDACTED] [REDACTED] it is recommended that he be cited for **other misconduct**.

Team: _____

Investigator:	_____	_____	_____
	Signature	Print	Date

Supervisor:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date